

REMARKS

Applicants appreciate the allowance of claims 22 and 23. Claims 1-21, withdrawn from consideration by the Examiner have been cancelled but the applicants expressly reserve the right to file divisional application(s) claiming the benefits afforded by 35 U.S.C §119-121. By the foregoing amendment, the previous rejection of claim 24 is deemed moot in view of its cancellation without disclaimer or prejudice. New claims 25-27 have been added with support therefor not only being found in the original application, being incorporated by reference and reproduced at page 3 before the second full paragraph, but also in applicant's claimed provisional priority document, Serial No. 60/013,452, filed March 15, 1996 in the Abstract and the Specification. Specifically, applicants direct the examiner's attention to page 3, 2nd full paragraph, and the abstract of said application to support amendment of the instant specification and the limitations of new claims 25-27. These claims are also allowable over the art of record for the same reasons claim 22 and 23 are allowed.

Applicants also bring to the examiner's attention the following facts in the accompanying Information Disclosure Statement that applicant has recently become aware of the Declaration of Interference No. 105,123, involving commonly owned U.S. Patents 6,040,057 and 6,146,766, with patent application 09/769,713, naming Robert Grantham (Senior Party). Party Grantham ultimately claims benefit (through intervening applications) of a provisional application filed 30 October 1996, as U.S. Serial No. 60/029,460. The instant application, however, traces its lineage through a claim for benefit under 35 U.S.C §120 and/or 121 as a division of application Serial No. 08/818,195, filed March 14, 1997, now U.S. Patent 6,303,234, which, in turn, was a non-provisional application claiming the benefit under 35 U.S.C §119 of domestic provisional application Serial No. 60/013,452,

filed March 15, 1996, as well as domestic provisional application Serial No. 60/040,709, filed March 14, 1997.

Applicants appreciate the examiner acknowledgment of the claim for priority under 35 U.S.C. 120 and 121, as well as the claim for domestic priority under 35 U.S.C. 119(e) (to the provisional applications) at paragraphs 14 and 15 of the Form PTO-326 attached to the Office Action.

Applicants intend to substitute/add the instant application to the aforementioned interference. Therefore, applicants would appreciate the examiner's assistance in maintaining the application in an available state until the application can be transferred to the Board of Patent Appeals and Interferences.

Applicants also cite, in the accompanying Information Disclosure Statement, U.S. Patent 6,235,349, to Grantham et al, issued May 22, 2001. Applicants make no representation that the Grantham et al patent is either prior art to the present application or is material to any of the present claims.

A prompt and favorable action on the merits is respectfully requested.

Respectfully submitted,



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